

AO 91 (Rev. 11/11) Criminal Complaint

FILED

June 15, 2020

Clerk, U.S. District Court
Western District of TexasBy: EP**UNITED STATES DISTRICT COURT**

for the

Western District of Texas

United States of America

v.

Manuel Flores

Case No. EP:20-M-02509-LS

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 13, 2020 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*Title 18, U.S.C. Section 875 (c) -
Interstate Communications*Offense Description*Transmitted in interstate and foreign commerce communications containing
threats to injure the person of another

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me telephonically.

Date: June 14, 2020, at 11:02 p.m.City and state: El Paso, Texas*Complainant's signature*

George Torres, FBI Special Agent

Printed name and title*Judge's signature*

Leon Schydlower, United States Magistrate Judge

Printed name and title

1. I, George Luis Torres, hereinafter referred to as Affiant, am a Special Agent of the Federal Bureau of Investigation (FBI), United States Department of Justice and conduct investigations of violations of Federal Criminal Law.

2. I make this affidavit in support of an application for a criminal complaint under Federal Rule of Criminal Procedure Rule 4.

3. The information contained herein is based on my personal knowledge and observations made during the course of this investigation, information conveyed by other law enforcement personnel, from interviews and investigative activity, and the review of records and documents obtained during this investigation.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code (U.S.C.), Section 875 (c), Interstate Communications of Threat to Injure, have been committed and will be committed by **MANUEL FLORES**.

PROBABLE CAUSE STATEMENT

5. On June 13, 2020, the FBI received an online tip to the FBI National Threat Operations Center (NTOC) concerning a YouTube video by "Don't CA My TX" with an alleged threat to shoot protestors in the vicinity of Dallas, Texas. The online tip came from an individual with an Internet Protocol address resolving to Tallinn, Estonia.

6. NTOC reviewed the link "<https://www.youtube.com/watch?v=BH8vSmEhGyl>" to the YouTube video "Nigger Lives Matter" by "Don't CA My TX". The video consists of a seated individual visible from the knees down, with what appears to be an AR-15 style rifle resting on the individual's feet. An unidentified speaker in the video begins to speak and says "I just wanted to make a real quick video for all you niggers that seem to be on timeout...". The speaker proceeds to details his plans to be in Dallas, Texas on "Monday at around 0600" travelling "I-20 Eastbound"

from "Midland/West Texas" asking for the Black Lives Matter to "stop me" and states that has "500 rounds of something, 500 rounds, I don't know, could be 5.56, could be snowcones, could be ping pong balls, I don't know". The speaker is also heard to say "stop me, I'm pissed an I'm tired, and I'm ready" and further states "my dream is at least take out at least 200 niggers, fucking savages, out."

7. NTOC issued Voluntary Emergency Disclosure Request to Google and Verizon. Google provided telephone number with a 760 area code. Verizon provided subscriber information for an individual in in Brawley, California. However, an online query for the telephone number yielded the name of **MANUEL FLORES** with address in El Paso, Texas.

8. On June 14, 2020 at approximately 3:00 a.m., FBI Special Agents interviewed **FLORES** at his residence in El Paso, Texas. This address is in the Western District of Texas.

9. **FLORES** is currently tractor-trailer operator and has been since 2008.

10. **FLORES** had just returned to El Paso from a delivery route in Arizona on early Saturday morning, June 13, 2020. **FLORES** stated he subsequently consumed approximately 8 or 9 IPA style beers.

11. **FLORES** confirmed to interviewing FBI Special Agents that the YouTube account "Don't CA My TX" belonged to him.

12. **FLORES** was shown a portion of the aforementioned video. **FLORES** confirmed that he made the video but could not remember what he said due to his consumption of alcohol. **FLORES** stated he loves America and is upset about what is going on right now. However, **FLORES** has no intention of harming anyone but would defend himself if he had to. **FLORES** was remorseful and apologetic to the interviewing FBI Special Agents.

13. In the presence of the FBI Special Agents, **FLORES** logged into the YouTube account, "Don't CA My TX," and deleted the video, "Nigger Lives Matter."

14. In the video, **FLORES** spoke as with a drawl or southern twang, which was not present in his speech pattern during the interview.

15. **FLORES** admitted to owning an AR-15 style rifle. FBI Special Agents observed an AR-15 style rifle in the aforementioned video.

16. **FLORES** provided consent to FBI Special Agents to search his residence and vehicle. FBI Special Agents found a black AR-15 style rifle in **FLORES'** bedroom. A 5.56 round can be used in AR-15 rifles.

17. **FLORES** stated he had a misdemeanor charge out of California for discharging a firearm. **FLORES** claimed that he had been drinking while cleaning his shotgun and that during the cleaning process, **FLORES** discharged the firearm accidentally.

18. On June 14, 2020 at approximately 1:00 p.m., an FBI Special Agent telephonically communicated with **FLORES** who advised he was currently 200 miles west of Dallas, Texas. **FLORES** stated that he planned to stay overnight at a hotel in the Cisco/Weatherford, Texas area and that he had a delivery scheduled for June 15, 2020 in Irving, Texas.

19. Based on Affiant's experience, YouTube is an online media platform and a subsidiary of Google LLC, 1600 Amphitheatre Parkway, Mountain View, California 94043. Videos on YouTube are posted and accessed via the internet.